

## Message Text

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ACTION SCS-03

INFO OCT-01 ARA-06 ISO-00 SCA-01 L-03 FBIE-00 CIAE-00

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FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 9897

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E.O. 11652: N/A

TAGS: CASC

SUBJ: CONGRESSIONAL HEARINGS ON AMERICAN PRISONERS: EXTORTION

BY ATTORNEYS: JORGE AVILES

1. JORGE AVILES, WHO HAS BEEN ACCUSED OF EXTORTION BY A NUMBER OF AMERICAN PRISONERS AND THEIR FAMILIES, VISITED EMBASSY RECENTLY AT INVITATION OF CHIEF, C/CCS (DANIELS), TO DISCUSS CHARGES AGAINST HIM. HE HAD PREVIOUSLY TELEPHONED FROM BAJA CALIFORNIA WITH REGARD TO TWO AMERICANS WHO ALLEGEDLY HAD EMPLOYED HIM AND DEPARTED WITHOUT PAYING FEE, PRESUMABLY BECAUSE OF WARNINGS ISSUED AGAINST HIM BY EMBASSY AND CONGEN TIJUANA AT EMBASSY'S INSTANCE.

2. AVILES STATED THAT HE WAS COMMUTING BETWEEN MEXICO CITY, WHERE HE STILL LIVES (THOUGH MAIL ADDRESSED TO HIM HAS BEEN RETURNED BY POST OFFICE), AND LA PAZ, BAJA CALIFORNIA, WHERE HE IS NOW PRACTICING. HE DISCOURSED AT SOME LENGTH ON HIS EFFORTS TO ASSIST AMERICANS IMPRISONED IN MEXICO AND THEIR INGRATITUDE. DANIELS ASKED HIM ABOUT CIRCUMSTANCES SURROUNDING RETURN OF MONEY TO GEORGE VANDERDRIESCHE EARLIER THIS YEAR. AVILES STATED HE HAD AGREED TO REPRESENT VANDERDRIESCHE BUT WAS NOT NOMINATED BY HIM AS HIS LEGAL REPRESENTATIVE AT COURT PROCEEDINGS. HE SAID THAT HE DID NOT KNOW OF TRANSFER OF FUNDS FROM VANDERDRIESCHE

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FAMILY TO HIS ACCOUNT AT THAT TIME, AS NO LETTER OR

OTHER COMMUNICATION ADVISED HIM OF IT. IT CAME TO HIS ATTENTION ONLY EARLY THIS YEAR WHEN HE WAS BEING PRESSED TO REFUND THE MONEY. HE CHECKED WITH HIS ACCOUNTANT AND, BEING INFORMED THAT MONEY HAD INDEED BEEN TRANSFERRED, READILY HANDED IT TO CONSUL GENERAL PETERSON TO BE REFUNDED TO VANDENDRIESCHE. NO MENTION WAS MADE BY EITHER PARTY TO PRESENT CONVERSATION ABOUT CHARGES BROUGHT BY VANDENDRIESCHE AGAINST AVILES.

3. DANIELS THEN BROUGHT UP THREE CASES, THOSE OF EDGAR ALAN SHAFFER, KAREN HARRISON AND FRANK ZELLET, JR., WHERE PRISONERS OR THEIR FAMILIES HAD ASKED EMBASSY'S ASSISTANCE IN RECOVERING PAYMENTS FROM AVILES. AVILES SAID THAT HE HAD PERFORMED SOME SERVICES FOR SHAFFER PRIOR TO TRIAL BUT WAS NOT NOMINATED BY HIM TO BE LEGAL REPRESENTATIVE AT COURT PROCEEDINGS. HE REACHED AGREEMENT WITH SHAFFER'S BROTHER TO KEEP \$1,700 OF \$4,700 PAYMENT, AND RETURNED \$3,000 IN CASH TO BROTHER. HE SAYS HE HAS RECEIPT. IN HARRISON CASE, AVILES SAYS HE WAS APPROACHED BY FRANK NORTON, HARRISON'S FINANCE, WHO ASKED HIM TO REPRESENT THE TWO AT DOUBLE HIS USUAL FEE. HE WAS, HOWEVER, WARNED BY COURT SECRETARY THAT FBI MEN HAD BEEN ASKING QUESTIONS, THAT NORTON APPEARED TO BE A "BIG FISH" AND THAT IT WAS NOT A CASE HE WAS LIKELY TO WIN. AVILES THEREFORE BACKED OFF. HE SAYS THAT HE RETURNED THE MONEY PAID HIM BY HARRISON'S PARENTS TO HER FATHER AND THAT HE HAS RECEIPT.

4. ZELLET CASE IS EVEN MORE COMPLICATED. IN LETTER TO EMBASSY, ZELLET'S FATHER INDICATED THAT HE HAD HAD CONTRACT WITH AVILES WHEREBY LATTER WOULD BE PAID \$26,000, \$20,000 OF WHICH WOULD BE REPAID IF AVILES WAS UNSUCCESSFUL IN OBTAINING ZELLET'S RELEASE. FATHER SAID THAT AVILES DID NOT OBTAIN RELEASE AND SENT HIM PERSONAL CHECK FOR \$10,000 AS PARTIAL REFUND, AND THAT CHECK BOUNDED. SUBSEQUENTLY, AVILES GAVE HIM A CASHIER'S CHECK FOR \$10,000, WHICH TURNED OUT TO BE COUNTERFEIT. FBI INVESTIGATING CIRCUMSTANCES. FATHER ALSO SAID THAT HE HAD RECEIVED ASSURANCES REGARDING REPAYMENT FROM AVILES IN PERSON IN MEXICO CITY ON MARCH 24, 1975.

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5. AVILES TOLD DANILES THAT HE HAD NEVER HAD FINANCIAL DEALINGS WITH ZELLET SENIOR. HE DID SIGN A \$26,000 CONTRACT WITH THE YOUNGER ZELLET'S SISTER, FRANCINE FILLMORE, TO WHOM HE RETURNED THE 20,000 AND FROM WHOM HE RECEIVED RECEIPT. HE SAID FURTHER THAT HE HAD NEVER HAD A DOLLAR ACCOUNT AND COULD NOT HAVE SENT A PERSONAL CHECK FOR \$10,000 TO ZELLET'S FATHER, AND

THAT HE LIKEWISE KNEW NOTHING ABOUT THE CASHIER'S CHECK. IN ADDITION, HE DID NOT TALK TO ZELLET'S FATHER ON THE DATE MENTIONED AS HE WAS IN EUROPE FROM MARCH 16 UNTIL APRIL 30 OF THIS YEAR. HE SAYS HIS PASSPOR HAS STAMPS IN IT TO PROVE THIS.

6. DANIELS ASKED AVILES FOR CERTIFIED COPIES OF THE THREE RECEIPTS PLUS THE CONTRACT WITH FRANCINE FILLMORE AND THE PAGES OF AVILES' PASSPORT WHICH SHOW THAT HE WAS IN EUROPE ON THE DATE HE MENTIONED, ALL OF WHICH AVILES AGREED TO PROVIDE. HE ALSO SAID THAT HE WOULD BRING IN THE ORIGINALS IF DESIRED. IN MEANTIME, EMBASSY HAS RECEIVED FROM ZELLET SR. PHOTOCOPIES OF A RECEIPT FOR A CHECK FROM \$10,000 FROM AVILES, AND OF A PROMISE TO PAY A FURTHER 125,000 PESOS (\$10,000) TO ZELLET. RECEIPT ALLUDES TO CONTRACT BETWEEN FRANCINE FILLMORE AND AVILES. BOTH DOCUMENTS ARE DATED MARCH24, 1975. IT APPEARS THAT IF AVILES ACTUALLY DOES PROVIDE RECEIPTS, THEY MAY BE FORGERIES. THIS MAY, HOWEVER, BE DIFFICULT TO PROVE, ESPECIALLY IN ZELLET CASE. AVILES TOLD DANIELS THAT FRANCINE FILLMORE WAS HERSELF INVOLVED IN DRUGS AND WAS ON RUN FROM POLICE SOMEWHERE IN EUROPE.  
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